

PROCEEDINGS OF THE CITY-PARISH COUNCIL MEETING OF THE CITY-PARISH OF LAFAYETTE, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING OF FEBRUARY 25, 2004.

ATTENDANCE

COUNCIL: Randy Menard (Chair - District 9), Rob Stevenson (Vice Chair - District 8), Bobby Badeaux (District 1), Dale Bourgeois (District 2), Christopher J. Williams, Ph.D. (District 3), Louis C. Benjamin, Jr. (District 4), Lenwood Broussard (District 5), Bruce Conque (District 6), Marc Mouton (District 7)

ABSENT: None

COUNCIL STAFF: Norma Dugas (Clerk of the Council), Monica Fontenot (Administrative Assistant)

ADMINISTRATIVE STAFF: L.J. Durel, Jr. (City-Parish President), Dee Stanley (CAO), Pat Ottinger (City-Parish Attorney), Gail Smith (Director of Administrative Services), Chief Ronnie Boudreaux (Police Department), Becky Lalumia (Director of Finance & Management), Tony Tramel (Director of Traffic & Transportation), Tom Carroll (Interim Director of Public Works), Eleanor Bouy (Interim Director of Planning, Zoning & Codes), Terry Huval (Director of Utilities)

COMMENCEMENT

(TAPE 1)(SIDE A)(001)AGENDA ITEM NO. 1: Call to order.

Chair Randy Menard called the Regular Council Meeting of February 25, 2004 to order.

(TAPE 1)(SIDE A)(003)AGENDA ITEM NO. 2: Invocation and Pledge of Allegiance.

Councilmember Marc Mouton was called upon to deliver the invocation and lead the Pledge of Allegiance.

Chair Menard announced that by the request of both parties involved with Item #6, the appeal was pulled and deferred until further notice.

(TAPE 1)(SIDE A)(010)AGENDA ITEM NO. 3: **EXECUTIVE/PRESIDENT'S REPORT**

Mr. Durel commended Public Works employees on the setup and cleanup efforts following the Mardi Gras festivities. He recognized Chief Ronnie Boudreaux who has resigned from his position as Police Chief of the Lafayette Police Department. Durel offered his appreciation for his years of service to the community and wished him luck on future endeavors. Menard added his appreciation to the law enforcement agencies that also participated in providing security during the Mardi Gras weekend.

ORDINANCES FOR FINAL ADOPTION - ZONING

(TAPE 1)(SIDE A)(100)AGENDA ITEM NO. 4: O-018-2004 An ordinance of the Lafayette City-Parish Council amending the Comprehensive Zoning Ordinance, so as to reclassify the property of Richard Dale Veron and Cathy Carnahan Veron, Case No. Z2004-001 Richard Veron property rezoning, located generally north of Rena Drive and Academy Drive and west of Ayreshire Drive from "special" zoning established by a 1966 court order to R-1-B (Single-Family Residential) and B-N (Neighborhood Business). A motion to approve as amended by Stevenson, seconded by Conque, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

RECUSED: None

Motion was approved as amended.

Due to a typographical error, Ms. Bouy requested that the ordinance be amended to reflect the year of **1966** instead of **1965**.

Upon questioning by Badeaux, Bouy explained when the subject property was annexed no zoning was indicated. In 1966, the main problem with the court order was that the Camellia Bridge was scheduled to cross on Rena Drive. The neighborhood expressed many concerns that Rena Drive was going to become a commercial district. The landowners in the neighborhood got involved and appealed in court. The judge placed an injunction that the property only be used for certain things. Those restrictions have remained on this property since that time. Mr. Ricky Veron has since purchased the subject property, which was dedicated, by court order, for residential use only. The request is to assign regular zoning for the property on Ayreshire and Rena in order that Mr. Veron can receive an existing zoning district for his store. The request would allow half the vacant lot to be commercial to expand the parking lot and rezone the remainder of the lot as single-family residential. Public notice was issued with no objections.

Stevenson encouraged support for the adoption of the ordinance. Upon questioning by Conque, Bouy explained what is allowed under a B-N restriction. It's inclusive of a business that is intended to serve the immediate neighborhood and do not receive a regional draw. Examples are:

- Beauty Shops
- Convenience stores
- Barber Shops
- Offices
- Candy Stores
- Coffee Shops
- Hamburger sandwich Shops
- Newstand
- Music Store

The following persons completed a request to speak form but chose not to speak:

A.E. Montagnet
Cathy Veron

(TAPE 1)(SIDE A)(240)AGENDA ITEM NO. 5: O-019-2004 An ordinance of the Lafayette City-Parish Council amending the Comprehensive Zoning Ordinance, so as to reclassify the property of Michael E. Cullen Case No. Z2003-019 Cullen property rezoning, located generally north of St. Julien Avenue, west of Johnston Street, from R-1-B (Single-Family Residential) to B-N(c) (Neighborhood Business - Conditional). A motion to approve by Conque, seconded by Stevenson, and the vote was as follows:

YEAS: Bourgeois, Williams, Benjamin, Broussard, Mouton

NAYS: Badeaux, Conque, Stevenson, Menard

ABSENT: None

RECUSED: None

Motion was approved.

Bouy explained this was a straight rezoning. The property is located on St. Julien across from Russell's Mobile. Mr. Cullen is a landscape architect who is requesting the rezoning with the condition that he would only use it for R-1-C or business or professional offices. Bourgeois questioned if there would be adequate parking spaces. Bouy stated that the parking spaces had not been scheduled out yet. Conque expressed concerns with the placement of curb cuts. Bouy confirmed the placement of curb cuts would be decided with Traffic and Transportation Department and would not return to the Council for review. Mr. Cullen explained he currently lives at the subject property. He has had preliminary conversations with Traffic and Transportation to discuss the curb cuts and it was temporarily decided that he would be allowed a driveway 30 feet from the property line along the Johnston Street side. His initial use of the property would be to create a duplex and is concerned with individuals safely exiting the property.

Stevenson expressed his concerns regarding parking for customers. Cullen explained different scenarios that he will be looking at to determine the safest entry/exit for his customers. Bouy added that the requirements for parking are based on 1 space for every 250 square feet, which would be approximately 8 or 9 slots. She also stated that what Mr. Cullen is proposing, she, as well as her staff, feel it is the least negative proposal he could submit in terms of getting other uses for the property. Cullen understood the concerns of the Council and of the neighborhood. Conque expressed his concerns regarding buffering because there is no guarantee to the existing residences that they will be protected from anything put on the site.

At this time, Williams stated he received calls from Mardi Gras food booth vendors who were playing music and were requested by police officers to shut down the music because they needed a sound permit. He requested an analysis from the Administration and to place a noise permit application in the packet of information they receive when applying for a vendor's license. He also requested a status on a drainage problem at St. Anthony's Church.

APPEALS

AGENDA ITEM NO. 6: Consider an appeal of the Planning Commission's action concerning the Edgewood Subdivision, Resubdivision on Lots 1-3.

This item was pulled and deferred until further notice.

REPORTS AND/OR DISCUSSION ITEMS

(TAPE 1)(SIDE B)(004)AGENDA ITEM NO. 7a: Update on the Hanes/Ancelet/Ambroise project

Benjamin confirmed that the timeline has been determined and an agreement has been reached with Atmos Energy to move their lines in order that the subject project may begin. Tom Carroll explained LCG will coordinate the bid date with Atmos to coincide with the time that they will complete their portion of the work. Assuming the bid takes place in July, the project should be completed by spring/early summer of 2005. Upon questioning by Stanley, Carroll explained that any overlay would be held off until such time that the project is completed. Pat Logan explained the project was identified in a fiscal year overlay. Because of the drainage project, the overlay had to be delayed and the intent was once the drainage project was complete, the street project would be placed with the next overlay. Stanley added that Public Works staff has determined it to be more efficient to fund it as part of an ongoing overlay project.

(TAPE 1)(SIDE b)(153)AGENDA ITEM NO. 7b: Update on left-turn signal at Mudd Avenue (east bound) and the Evangeline Thruway

Tramel explained his staff has done a preliminary design and will be submitting the packet to DOTD, since it's a state route. He added that the main issue is with striping and once approved, proposals will be solicited to redo the striping. The projected completion date, weather permitting, should be approximately 90 days.

The following person was recognized:

Jeffery Landry expressed his concerns regarding morning traffic having problems making a left turn on Mudd Avenue and Louisiana Avenue. Williams suggested he meet with Tramel to discuss his renderings.

(TAPE 1)(SIDE B)(221)AGENDA ITEM NO. 7c: Discuss youth baseball program for 5-12 year olds at Pa Davis and Heymann Parks

Benjamin expressed his concerns regarding the lack of participation for youth baseball teams. Currently, the summer baseball programs are located at Brown Park, which makes it difficult for some to participate due to lack of transportation. He would like to institute t-ball to mustang leagues for the young children. LCG has received federal funding to build these parks and would like to see them utilized. After reviewing numbers from last year, Stanley was unsure if the cause was due to lack of interest or lack of advertisement. He committed to getting word out to get the program off the ground. Benjamin opined there was a lack of program development.

Greg Gautreaux, Athletics Program Manager explained the centers are being used for summer camp for the months of June, July and August. The baseball fields are not being used on a regular basis; however, a program will be implemented in March to begin registration and work on getting the word out to the public on what dates have been scheduled. Williams requested a listing of all parks in the city/parish as well as what youth and adult programs are being offered at the various parks. Bourgeois expressed his concerns that youth programs are not available, which causes overcrowding in Brown Park. His main concern is ensuring that these parks are utilized by the neighborhoods with a safe environment for the young children.

The following person was recognized:

Joseph Dennis stated issues have been addressed to make the parks accessible for the young children.

(TAPE 1)(SIDE B)(472)AGENDA ITEM NO. 7d: Discuss speeding on East Simcoe

The following person was recognized:

Joseph Dennis stated due to the increased speeding problems, there was a small child that was fatally injured. Even though Traffic & Transportation has put items in place, he opined it has not worked and someone will be injured or killed again.

Tramel explained that traffic calming was installed to control speed and volume. A policy was approved that identifies it to be utilized in the neighborhood streets but not on streets that are on the consolidated thoroughfare plan. Studies have been done in the area; however, he cannot change driving habits of individuals but enforcement agencies can be put in place to try to eliminate speeding.

(TAPE 2)(SIDE A)(001)

Major Craft explained since the accident, officers have been in the area conducting radar checks. East Simcoe Street is on the regular list for traffic enforcement and he has requested additional radar trailers.

(TAPE 2)(SIDE A)(062)AGENDA ITEM NO. 7e: Discuss Hoffpauir Road low spot

Carroll stated the survey will be complete in a week and requested to meet with Broussard on site in 2-3 weeks and will have a plan of action of what could and could not be done.

COMMENTS FROM THE PUBLIC

(TAPE 2)(SIDE A)(074)AGENDA ITEM NO. 8: Comments from the public on other matters.

The following persons were recognized:

Elaine Morton thanked LCG for implementing the paratransit program for night service. She appealing to the Council not to discontinue the services since those who are disabled frequently utilize it.

Donald Bernard expressed his gratitude to Mr. Durel and the Council for a great job. He also thanked the Police Department for being responsive to calls of incidents in various parks during his tenure with the Parks and Recreation Department. He fully supports the profiling process when a dispatcher receives a call and is opposed to the criticism that the Police Department has been receiving with regards to racial profiling.

Shelby Williams expressed his concerns regarding several issues:

- A recent incident involving a police officer and a female and the foul treatment she received.
- Allowance of speaking time – no special treatment for speaking time
- Illegal reference of the Lafayette Civic Center – what is the correct term? Dee Stanley responded the original contract for the construction of the facility was for the Lafayette Civic Center, but was unsure if it was by legislative act or by state contract. There are various documents that reference the Cajundome Commission and the Cajundome subsidy in ordinances of this government that go back to the “Dome’s” creation in 1985. Ottinger added to use the term “illegal” would be considered a criminal offense, which this would not be considered a criminal offense for someone to call it what he or she chooses.
- Unequal issuance of citations throughout the different districts
- Citizens access to public documents

Harold Arceneaux felt that the handicap citizens have not had any type of representation in government. He requested Mr. Durel to reactivate the Advisory Council for the Handicap. He supports Ms. Morton’s comments regarding the paratransit service. Williams explained the grant monies for the two-year cycle would be depleted after this year and confirmed Traffic & Transportation will be searching for other possible federal/state resources that can be utilized.

Richard Phelps expressed his concerns regarding funding for the night owl paratransit service. The experiment with the night owl service has been successful and found it to be an economical advantage to the city to continue the funding. He questioned if there would be curbside cuts provided along Johnston Street for the handicap and visually impaired. Menard responded this is a state project and Tom Carroll would have to contact the state for a response.

Cindy Brasseaux complimented the Action Team on a job well done regarding recent issues in her neighborhood. Since the Action Team has become a vital part of the neighborhood, crimes of drugs and prostitution have decreased. Residents in District 2, 3 and 4 are very appreciative of the Action Team for cleaning up their neighborhoods.

Patrick Brasseaux reiterated comments made by Ms. Brasseaux. He felt that the majority of crimes that take place are in the minority districts and was opposed to comments made that the Police Department was conducting racial profiling. Residents in District 3 are concerned that there is not enough police presence to ward off drug dealers and prostitutes.

Carrie Morton felt she received a parking citation unfairly at Thomas Park. She gave a brief explanation of events and her encounter with the Park Ranger. The parking spot in which she parked was not marked for handicapped and she requested that parking lots at all parks and recreation centers be properly marked and updated.

Sgt. “Mac” Gallien explained the process of traffic stops during drug investigations. Traffic stops may consist of loud music, tinted windows or televisions in the front compartments, which then lead to investigation for drugs.

Jeffery Landry commended Durel and Stanley for their full participation during Council meeting. He expressed his concerns regarding the naming of the Cajundome and racial profiling. He suggested creating a citizen-investigating panel to be used as a buffer zone.

At this time, Mr. Landry requested for an extension of speaking time. Since there was an objection, Chair Menard called for the vote which was as follows:

YEAS: Bourgeois, Williams, Benjamin, Conque, Mouton

NAYS: Badeaux, Broussard, Menard

ABSENT: Stevenson

RECUSED: None

Motion was approved for additional time.

He wished Chief Boudreaux the best of luck and was looking forward to possibly working with the appointed Chief on a “citizen-investigating panel”. He felt by creating this panel, it would protect the citizens as well as the officers.

Chair Menard extended appreciation to Chief Boudreaux for his dedication and service to the city as Police Chief. Although his tenure was brief, it was deemed to be effective. Mouton reiterated Menard’s comments.

ADJOURN

There being no further business to come before the Council, Chair Menard declared the meeting adjourned.

Norma A. Dugas
Clerk of the Council